

CLOSED

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2005 MAY 11 A 9:42

UNITED STATES
DISTRICT COURT

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**\$471,204.00 IN UNITED STATES
CURRENCY,**

Defendant.

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Hon. John C. Lifland (JCL)

Civil Action No. 03-2924 (JCL)

**CONSENT JUDGMENT AND FINAL
ORDER OF FORFEITURE**

THIS MATTER having been opened to the Court by the United States of America by Christopher J. Christie, United States Attorney for the District of New Jersey (Peter W. Gaeta, Assistant United States Attorney, appearing), for a Consent Judgment and Final Order of Forfeiture, and Luis A. Betancourt (Steven L. Kessler, Esq. appearing), having consented to the requested relief, and the parties having stipulated and agreed upon, through their respective counsel, that the matter be resolved based upon the following terms and conditions set forth below:

1. That Luis A. Betancourt (hereinafter "Betancourt"), pursuant to a consent order entered into in New Jersey Superior Court, Criminal Division, Union County in the matter of

State of New Jersey v. Luis Betancourt, Docket No. 03000366, agrees to the forfeiture of the seized funds, namely \$471,204.00 in United States currency; and

2. That the defendant currency namely: \$471,204.00 in United States currency shall be forfeited and condemned to the United States of America pursuant to 18 U.S.C. § 981; and

3. That Betancourt shall not be entitled to costs nor shall any of the person(s) who made lawful seizure of the defendant currency be liable, pursuant to 28 U.S.C. § 2465, because probable cause has been shown to exist for the lawful seizure of the defendant currency.

Likewise, the United States of America shall not be liable to lawsuit or judgment based upon any lawsuits or prosecutions, pursuant to 28 U.S.C. § 2465, because probable cause has been shown to exist for the lawful seizure of the defendant currency; and

4. That Betancourt waives any right he may have to challenge in this Court, the Court of Appeals or any other forum, the lawful seizure and civil forfeiture of the defendant currency, pursuant to 18 U.S.C. § 981; and

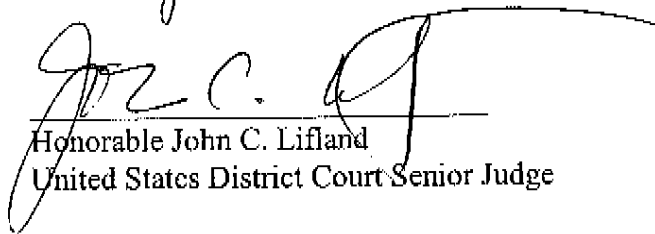
5. That notice of the above-captioned forfeiture action was published in the Star Ledger on July 16, 2003, July 23, 2003, and July 30, 2003 (See Declaration of Peter W. Gaeta, Exhibit "A" filed herein);

6. That no claims or answers have been filed, other than Betancourt's, within the time permitted by Rule C(6) of the Supplemental Rules for Certain Admiralty and Maritime Claims by any potential claimants in this matter.

7. That a Final Order of Forfeiture is granted against the defendant currency, namely \$471,204.00 in United States currency and no right, title or interest in the defendant currency shall exist in any other party; and

8. That any and all forfeited funds shall be disposed of in accordance with the law.

SO ORDERED, this 11th day of May, 2005.


Honorable John C. Lifland
United States District Court Senior Judge

The Undersigned Hereby
Consent to the Form
and Entry of this Order

CHRISTOPHER J. CHRISTIE
United States Attorney


PETER W. GAETA
Assistant United States Attorney

5/10/05
Dated


STEVEN L. KESSLER, ESQ.
Attorney for Luis Betancourt

5/4/05
Dated


LUIS BETANCOURT

Dated